

Notice of Allowability

Application No.

10/684,883

Examiner

ANH PHUNG

Applicant(s)

RUST, THOMAS F.

Art Unit

2824

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The Election received on Nov. 15, 2004.
2. ☒ The allowed claim(s) is/are 16-39.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 1/14/05.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/10/04 & 6/16/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Search History.


ANH PHUNG
PRIMARY EXAMINER

Examiner's amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CAR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

In the claims:

Cancel non-elected claims **1-15** and **40-47** due to Election without traverse.

The examiner's amendment has been made in order to place the application in a condition for allowance.

2. The non-elected claims **1-15** and **40-47** are cancelled per Examiner's amendment above, and the elected claims **16-39** are pending in the application.

Information Disclosure Statement

3. This office acknowledges receipt of the following items from the Applicant:

Information Disclosure Statement (IDS) filed on Jun. 10, 2004 and Jun. 16, 2004.

Information disclosed and listed on PTO 1449(s) was considered.

Drawings

4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Examiner's Statement of Reasons for Allowance

5. Claims **16-39** are allowed.

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Quate et al. (US 5,132,934), Yamamoto et al. (US 5,444,191) and MacDonald et al. (US 5,615,143) disclose an apparatus similar to that of the present application, but fail to teach:

“a media platform movement mechanism operably attached to said media platform and configured to move said media platform in response to media control signals; and a read/write platform movement mechanism operably attached to said read/write platform and configured to move said read/write platform in response to read/write platform control signals; wherein at least one of said one or more cantilever tips can cause the formation of an anomaly on said media platform” as claimed in the independent claim **16**; or

“a plurality of read/write platform movement mechanisms, each read/write movement mechanism operably attached to a corresponding read/write platform and configured to move said read/write platform in response to read/write platform control signals; wherein at least one of said one or more cantilever tips can cause the formation of an anomaly on said media platform; wherein each of the plurality of read/write mechanisms is sized such that the one or more cantilever tips can remain aligned with data previously written to the corresponding media platform across an operating temperature range” as claimed in the independent claim **20**; or

“a plurality of read/write platform movement mechanisms, each read/write movement mechanism operably attached to a corresponding read/write platform and configured to move said read/write platform in response to read/write platform control signals; wherein at least one of said one or more cantilever tips can cause the formation

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of an anomaly on said media platform; wherein each of the plurality of read/write mechanisms is sized such that the plurality of read/write mechanisms can operate across an industrial temperature range without thermal compensation” as claimed in the independent claim **27**; or

“a plurality of read/write platform movement mechanisms, each read/write movement mechanism operably attached to a corresponding read/write platform and configured to move said read/write platform in response to read/write platform control signals; wherein at least one of said one or more cantilever tips can cause the formation of an anomaly on said media platform; wherein the plurality of read/write mechanisms are adapted to be multiplexed” as claimed in the independent claim **34** and **37**; or

“a plurality of read/write platform movement mechanisms, each read/write movement mechanism operably attached to a corresponding read/write platform and configured to move said read/write platform in response to read/write platform control signals; wherein at least one of said one or more cantilever tips can cause the formation of an anomaly on said media platform; wherein each of the plurality of read/write mechanisms is sized such that thermal expansion of the read/write platform across an operating temperature range does not cause misalignment of the one or more cantilever tips with data previously written to the corresponding media platform” as claimed in the independent claim **38** and **39**.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comment on Statement of Reasons for Allowance".

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ANH PHUNG** whose telephone number is **(571) 272-1883**. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD ELMS**, can be reached on **(571) 272-1869**. The fax phone number for the organization where this application or proceeding is assigned is **(703) 872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

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AKP



**ANH PHUNG
PRIMARY EXAMINER**